

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

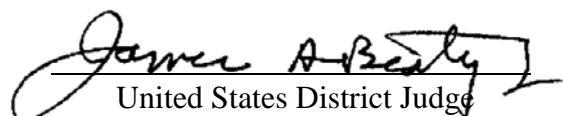
MARY JANE CARTER,)
)
Petitioner,)
)
v.) 1:05CV268
)
RANDOLPH COUNTY JAIL,)
)
Respondent.)

J-U-D-G-M-E-N-T

On November 3, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Respondent's motion for summary judgment [Pleading No. 4] be **GRANTED**, that Petitioner's writ of habeas corpus [Pleading No. 1] be **DENIED**, and that this action be dismissed with prejudice. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.



United States District Judge

DATE: February 16, 2006